

SEC. 10. In case it becomes necessary, from any cause, to provide means temporarily for the payment of any half-yearly interest, the said commissioners are authorized, in the name and on the credit of the State, to make such loans as they may think proper.

SEC. 11. All funds coming into the hands of the commissioners under this act, shall be passed into the State treasury, on certificate of the Auditor of State, and drawn from the treasury on requisition of said commissioners by draft of the auditor.

SEC. 12. If, in the opinion of the commissioners of the public debt, it shall at any time appear expedient to retire the coupon bonds issued under this act, and substitute therefor registered bonds of any denomination or amount in lieu of said issue of coupon bonds, they shall have power to do so, or they may in the first instance issue registered bonds, and they may provide for registering coupon bonds.

SEC. 13. No bonds shall be issued, or any act done by said commissioners, under the provisions of this act, until a majority of the electors voting at a special election to be held on Tuesday, the twelfth (12th) day of June, one thousand eight hundred and seventy-seven (1877), shall have adopted an amendment to the constitution, authorizing the appropriation of the proceeds of five hundred thousand (500,000) acres of internal improvement lands to the payment of the interest or principal, or both, of the bonds to be issued under the provisions of this act.

SEC. 14. This act shall take effect and be in force from and after its passage.

Approved March 1, 1877.

## CHAPTER 93.

### AN ACT IN RELATION TO THE ADMINISTERING OF OATHS AND THE TAKING OF ACKNOWLEDGMENT OF INSTRUMENTS.

Be enacted by the Legislature of the State of Minnesota:

SECTION 1. The clerks of the circuit and district courts of the United States for the district of Minnesota, shall have the same authority to administer oaths and to take the acknowledgment of instruments which notaries public now have, or hereafter may have, under the laws of this State.

Acknowledgment of instruments and oaths by clerks of U. S. courts.

Registered bonds.

Goes into effect conditionally.

When act to take effect.

SEC. 2. This act shall be in force from and after its passage. When act to take effect.

Approved March 5, 1877.

## CHAPTER 94.

### AN ACT RELATIVE TO DIVISION FENCES IN INCORPORATED CITIES, TOWNS AND VILLAGES.

*Be it enacted by the Legislature of the State of Minnesota:*

SECTION 1. That whenever any owner of a lot or lots in any incorporated city, town or village in the State of Minnesota, shall desire to have erected or repaired a division or partition fence between his own and adjoining lot or lots, and the owner or owners of such adjoining lot or lots refuse to erect or repair their portion of said fence, or to pay his or their proper part of the expense thereof, he may apply to the municipal judge, or the city justice, or any justice of the peace in any incorporated city, town or village, and such judge or justice, after notice in writing of not less than six (6) days to all parties interested, and after hearing the parties, and viewing the premises, if requested by either parties, or if he shall deem it necessary to view the same, may in writing assign to each owner his share of said fence, and direct the time within which each party shall erect his share thereof, in a good and substantial manner, which assignment, being recorded in the office of the register of deeds of the county in which said lots are situate, shall be binding upon the parties and upon all succeeding occupants or owners of said lots: and they shall thereafter maintain their respective portions of said fence.

Partition fences in cities and villages.

SEC. 2 In case any person neglects or refuses to erect or maintain the part of any such fence so assigned to him to erect or maintain, the same may be erected and maintained by the party aggrieved thereby, in a good and substantial manner, and he may recover of the party so neglecting or refusing, in a civil action in any court having jurisdiction of the amount involved, double the value of that part of said fence so erected or maintained which was assigned to the party so neglecting or refusing, together with all the costs and expenses of such action and all the costs and expenses of

A civil action may be maintained for failure to build, and penalty recovered.